



**City Council  
Regular Meeting  
Tuesday, March 21, 2006  
7:00 P.M.**

**The regularly scheduled meeting of the Trinity City Council was held on Tuesday, March 21, 2006 at the Trinity Memorial United Methodist Church.**

**MEMBERS PRESENT:** Mayor Frances Andrews, Council members Karen Bridges, Phil Brown, Barbara Ewings, Bob Labonte, Barry Lambeth, Dwight Meredith, and Miles Talbert.

**MEMBERS ABSENT:** Edith Reddick

**OTHERS PRESENT:** City Manager Ann Bailie; City Attorney, Bob Wilhoit; City Planning/Zoning Administrator, Adam Stumb; City Clerk/FO, Debbie Hinson; City Engineer Randy McNeill; Members of the Press; and other interested parties.

**ITEM 1. CALL TO ORDER**

Mayor Andrews called the March 21, 2006 Regular Meeting of the Trinity City Council to order at 7:00 pm.

**Pledge of Allegiance**

Mr. Buddy Maness, Planning/Zoning Board member led the Pledge of Allegiance.

**Invocation**

The invocation was given by Council member Lambeth.

**Welcome Guest and Visitors**

Mayor Andrews welcomed and thanked all persons in attendance and for their interest in the City.

**ITEM 2. REVIEW AND APPROVAL OF MINUTES**

1. January 14, 2006 Retreat Minutes
2. February 13, 2006 Pre-Agenda Minutes
3. February 21, 2006 Regular City Council Meeting
4. February 27, 2006 Special City Council Meeting

Mayor Andrews opened this item and advised Council members that these minutes could be considered and one motion made for all minutes.

*Council member Bridges made motion to approve the January 14, 2006, February 13, 2006, February 21, 2006 and the February 27, 2006 Minutes as written, seconded by Council member Ewings and approved unanimously by all Council members present.*

**Public Concerns and Commendations**

At this time, Mayor Andrews opened the meeting to speakers that signed up prior to the meeting who wished to address the City Council. She asked speakers to please step to the lectern and state their name and address for the record. Mayor Andrews also advised those persons wishing to speak that remarks are limited to 3 minutes/speaker and speakers are encouraged to select a spokesperson if several people plan to make similar points.

**Jenette Hartman, 4484 Jerry Street:** Ms. Hartman discussed her home and stated that she did not believe farm animals were needed in her neighborhood. She discussed conversations with Manager Bailie and Mr. Stumb concerning her conversations with her neighbor in regards to placing horses on the property adjoining hers and any

grandfathering clauses. When I spoke with Mr. Wrightson after the last meeting in the parking lot we discussed the fact that he had put up his fence. He advised me that he had put up the fence and planned to get 2 horses and proceeded to tell me that he was grandfathered and there was nothing we could do about. She continued to discuss her conversation with her neighbor concerning efforts she had made to be a good neighbor and the comments concerning this from Mr. Wrightson. Ms. Hartman advised Council her concerns included not leaving or selling her home at a devalued price, the health issues that can result by allowing horses in someone's yard, the fact that she had lived in Trinity for 24 years.

**Bennie Kinley, 4675 Billy Lee Road:** Mr. Kinley advised Council he had been at this address since 1960. He said he had fencing from 6 to 10 feet all around his property that consisted of approximately 15 acres. He advised Council he had numerous animals like a petting zoo. Getting up every morning and evening to feed the animals is what keeps me going. I work to buy food for my animals. I am not going to leave my animals. The City may fine me but I will not leave my animals.

**Michaele Stafford, 5301 Sisters Lane:** Ms. Stafford addressed Council as the Vice President of the PTSA for Trinity Elementary School. She advised Council that she wanted to invite all present to the Spring Fling to be held on May 6, 2006 from 10:00 to 4:00 at Trinity Elementary. There will be activities for the children as well as arts and craft exhibits for the adults. There will be pizza and drinks for lunch. The Guil-Rand Fire Department has agreed to come and bring out the (smokehouse). We also plan to have the Archdale Police and the Randolph County Sheriff's Office. We will be having an auction at 4:00 as well and are accepting donations.

**Martha Ogle, 4227 Hopewell Church Road:** Ms. Ogle advised Council she was concerned about possible restrictions on livestock in Trinity. She advised Council members that she ran a horse farm on Finch Farm Road and taught horse back riding and boarded horses which generated income for Trinity. She advised Council that horseback riding is a healthy activity. She stated that she hoped that whatever was in the works will be seriously considered in that regard. We do things with elementary schools, daycares, as well as birthday parties with our horses for children and adults. We have borders from Gaddy Place and there are people who have moved to this area because of the fact that it is somewhat country and is away from the City of Greensboro and High Point. I do not want to give up my animals and will not give up my animals. I do not want to move and can not afford to move. This is a great place to live. Livestock is a big business. I work at the Barn Loft in Thomasville and we sell livestock feed for all kinds of animals that people raise and love. I feel that Council should be cautious when setting a limit on acreage needed to own animals.

**Donald Patrum, 4511 Jerry Street:** I live directly in front of the person who wants the horses. He discussed problems that had arisen between neighbors concerning horses being allowed in this area. He stated that the Hartman's had a beautiful house and yard but the person with the horses just loved animals. He discussed his deed and the fact that it specified no domestic animals were allowed. He discussed the bad feelings in the neighborhood concerning this issue and the fence around the house that allows the horses to come up around the house. He discussed his conversation with an attorney at his workplace concerning a grandfather clause and what it meant. He continued his discussion concerning his confusion on how this resident was able to obtain a grandfather clause that would allow this use (horses) in this neighborhood. I would like for someone to tell me how this gentleman is allowed to have horses. He discussed the creek located within 4 feet of the fence where the horses are at and the fact that the horse waste will be washed into the creek.

**James Thompson, 12088 Trinity Road:** I have 2 horses and keep them on Fairview Church Road and we do not bother anyone. I teach children how to ride as well. I do not feel that anyone has a right to tell anyone else that pays taxes and who owns their property that they can not have horses as long as the horses are not bothering anyone. I understand a manure problem and someone needs to do something about it. I have 2 beautiful horses and love animals. This is an important part of my life and asks you not to take what I love from me and others.

**Tony Dennis- 4431 Meadowbrook View Road:** Mr. Dennis advised Council that he owned 1 horse and had lived in Trinity for 30 years and owned the horse for 15 years. I have approximately 2.8 acres of which 1.38 acres are fenced for the horse. This is a neighborhood pet. All the children come by and pet and feed the horse. I let them ride the horse. I used to have a dog and they were more of a mess than the horse. We clean up after him and keep the horse well kept. The horse does not hurt or bother anyone. My daughter loved horses and used this horse for showing. We plan on keeping him until he dies. I am not a person that would have 4 or 5 horses on an acre. You can usually pasture 1 horse per acre and my horse is on about 1.3 acres. This is the family pet and I would hate to see something happen that he would have to leave.

At this time Mayor Andrews asked Manager Bailie to address the question concerning the Grandfather Clause. Manager Bailie stated that the gentleman that spoke gave a good description about what grandfathering is. In this particular case the gentleman who wants horses is properly zoned for horses so there is no grandfathering that would

take place at the current time. His property is zoned RA (Residential Agriculture) and currently our Zoning Ordinances permits horses in Residential Agricultural, so currently there is no question about grandfathering.

#### **Opening Comments from Members of Council**

None

#### **Proclamations**

##### **5. American Red Cross Month**

Mayor Andrews asked Melvin Patterson representing the American Red Cross to come forward and accept the Proclamation for the American Red Cross. Mayor Andrews read the last paragraph proclaiming March 2006 as American Red Cross Month in the City and presented the Proclamation to Mr. Patterson.

Mr. Patterson thanked Mayor and Council on behalf of the American Red Cross.

##### **6. Week of the Young Child (April 2 – 8, 2006)**

Prior to reading this Proclamation, Mayor Andrews advised Council and members of the audience that the Week of the Young Child Proclamation was requested by the Randolph County Partnership for Children and covered the period of April 02, 2006 through April 08, 2006.

#### **Reports/Funding Requests**

##### **7. Emergency Services (Darrell Frye, Vice Chairman, Randolph County Board of Commissioners; Neil Allen, Director, Randolph County Emergency Services)**

Mayor Andrews opened this item and introduced Mr. Darrell Frye.

Mr. Frye and Neil from Randolph County discussed the process that was used to determine the need to place an ambulance in a more central location in the City of Trinity. He discussed his efforts in working with the commissioners to get the funding for a second ambulance as well as his conversation with Mayor Andrews shortly after the election and his plans to locate the ambulance at the new Guil-Rand Station. Mayor Andrews asked if the ambulance could be stationed at the Surret Station until the new station was complete. After our research we found there was a 3 minute difference in response time for the Trinity area. Because of the response time we have temporarily located the ambulance at Station 40 (Surrett Drive). He advised Council the Surret Station is not physically able to house the ambulance when the weather is bad. The new ambulance will be placed at the Surret Station if the weather permits during call hours and will be moved to Balfour Drive in Archdale at night.

##### **8. Annual report and funding request for Archdale-Trinity Chamber of Commerce (Beverly Nelson, President)**

Ms. Nelson advised Council that she had 3 purposes to address tonight. The first was to thank Council for their support in 2005, second, to show how the funds were spent, and third to ask the Council to consider the Chamber for funding in their 06-07 Budget.

Ms. Nelson highlighted the following services that were provided by the Chamber during the 2005 year.

1. Provide a leadership program in the northwest corner of the county.
2. Initiatives connected to education by providing a job shadowing program.
3. Community Action: Provided legislative briefing to citizens to meet their legislators and ask them questions. Prior to the election we provided a candidates forum for people to come in and ask the candidates questions. We continue to lobby for the completion of I-74. Along with the other Chambers in the Triad we put together the Triad Legislative Agenda, bringing issues to our legislators that affect our cities. Through our communications network we publicize the events of Trinity. We provide a community award program that recognizes our local heroes. Through our Business Services we provided 11 coffee and conversation sessions. This provides programming for the business community. We also included in that program an opportunity for citizens to meet the newly elected official that were elected in November. We just had our first Jack Frost Soccer Tournament that is connected with our Tourism. Another big area in 2005 for our Chamber was Economic Development. The City of Trinity has assisted us in funding a CD project and was in hopes to deliver this to you tonight but it has not arrived. While waiting on the CD to be completed we have created a postcard as a collateral piece to use when we contact business to come to Trinity. Ms. Nelson advised Council members that she had personally met with at least 10 entrepreneurs who have asked me for demographics, business advise, location assistance all services that we provide to persons looking to open a business. I have also met several times Bill Millis and provided information for him to use in recruiting business to Colonial Village.

In 2006 we will present you with a membership directory of the chamber in June or July. We will continue with our Economic Development and aggressive program of attracting businesses to Trinity. We are currently updating our website and we will continue to monitor issues on the local, federal, and state level that are of interest to the businesses.

We plan to create a candidates school in the 2007 year. This is an attempt to help citizens understand the process who are interested in running for local and state government.

After a brief discussion, ***Council member Talbert made a motion to approve \$5,000.00 the same amount as last year, seconded by Council member Lambeth and approved unanimously.***

There was conversation concerning this request and making it run concurrent with the new fiscal year budget. After discussion and upon advice from Attorney Wilhoit, ***Council member Talbert amended his motion to approve \$5,000.00 the same amount as last year to be effective in the next fiscal budget year (2006-2007). Council member Lambeth accepted the amendment to the original motion. The amended motion and second was approved unanimously by all Council members present.***

#### **9. Annual Report and Funding Request for Archdale Library (George Taylor, Archdale Branch Manager)**

Mr. Taylor thanked Council and advised them he was here to ask to be considered for \$5,000.00 funding for additional materials for the Archdale Library as the City has provided in the past. Mr. Taylor advised Council that the Library had 15,000 registered persons with library cards of which 4,700 have Trinity zip codes. We have 17,000 walk in customers over the past year with 72,000 items being checked out. We currently have 32,000 items in our collection. We have 20,000 computer users annually. If we receive the additional funding we would like to focus on homework support.

After a brief discussion, ***Council member Ewings made a motion to contribute \$5,000.00 to the Archdale Library based on the fact of the 4,700 zip codes in Trinity that utilize the services of the library. This is to be included in the 2006-2007 Budget as well. Council member Talbert seconded the motion and was approved unanimously by all Council members present.***

#### **10. General Hardee Event Funding Request**

**Mr. Trotter, 5356 Rampy Street, Trinity;** Mr. Trotter advised Council this would be the 4<sup>th</sup> Trinity General Hardee Event. He gave a brief history of General Hardee and the fact that he camped across from Braxton Craven House where he surrendered to General Sherman. Mr. Trotter advised Council that he would like to keep the event free to the public. He discussed the approximate \$2,000.00 spent last year out of pocket. Mr. Hardee asked Council to consider funding in the amount of \$700.00.

There was discussion by Ms. Hinson, Finance Officer concerning the request for funding for this event. Ms. Hinson recommended that if Council wanted to financially support the event that that the funding be on a receipt reimbursement basis for materials only and that they decline contribution towards advertisement.

After a brief discussion, ***Council member Brown made a motion to contribute to the General Hardee Event on a receipt reimbursement basis excluding advertisement and a cap of \$700.00, seconded by Council member Talbert and approved unanimously by all Council members present.***

#### **11. Wastewater Projects Update (Randy McNeill, Davis-Martin-Powell & Assoc.)**

Mr. McNeill did a brief review of the monthly projects process report. He advised Council members that the sewer line construction was progressing in Colonial Heights and Shadydale Acres Lane. He discussed telephone calls made by some property owners concerning redoing or making repairs to their driveways. The main sewer line is being installed on one side of the road. As the contractor goes he is putting in services for the houses on the same side of the road the sewer line is located on. After he finishes all the main sewer lines he comes back and digs additional holes and punches the line under the road to serve the neighbors across the street. One reason he is not finishing up is that he has to come back and disturb that area again. He did seed and mulch the areas to serve as a temporary fix. He will complete the driveways when the project is completed. He advised Council the Survey Crews were working on Phase3 project and are currently working in the Jerry Street area gathering data so we can design this phase. The Darr Road Project has a bid date of April 13, 2006.

## **Public Hearings\***

### **12. Text amendments to Zoning and Subdivision ordinances**

#### **A. Amendments mandated by Senate bills 518 and 814**

#### **B. Amendments to agricultural uses**

#### **A. Amendments mandated by Senate bills 518 and 814**

Mayor Andrews opened the Public Hearing and asked Mr. Stumb to address Council on this item.

Mr. Stumb advised Council that Item A consisted of mandated legislative changes that occurred last year from changes to the rezoning statutes and regulations made by the state house and senate. All cities and counties are requested to make these changes. Mr. Stumb reviewed the changes mandated by Senate Bill 518 and 814 in the Zoning Ordinance and Subdivision Ordinance.

Mayor Andrews opened the floor to those who wished to speak for this request. With no one speaking, Mayor Andrews opened the floor to those who wished to speak against the request. With no one speaking, Mayor Andrews called for staff recommendations.

Staff Recommendation: Planning Board and Staff unanimously recommend these changes.

***Motion by Council member Talbert to adopt the State Changes, seconded by Council member Ewings and approved unanimously by all Council members present.***

#### **B. Amendments to Agricultural Uses**

Mayor Andrews opened the Public Hearing and asked Mr. Stumb to address Council on this item.

Mr. Stumb stated this amendment came about due to 2 or 3 complaints received not just for horses but livestock in general. Currently there are no regulations on livestock. It would be permitted in any zoning district in the City Limits of Trinity. This was discussed with the Planning & Zoning Board in an effort to come up with a solution. They did not want to eliminate livestock but restrict it in some areas. After lengthy discussion concerning the appropriate acreage for livestock as well as property setbacks, the recommendation of the Planning/Zoning Board was to require 5 acres minimum for livestock. This recommendation was not unanimously approved but was approved by majority.

### **Speaking in favor of the Proposed Amendments**

**Richard Hartman:** Mr. Hartman discussed the fact that he lived in a residential area inside the City of Trinity. He discussed covenants and the location of houses that were on lots of less than one (1) acre in size and how this impacted his home.

**Jenette Hartman:** Ms. Hartman discussed her feelings concerning the new homes located in her residential neighborhood in comparison to living beside farm animals. She asked what would be done with the 2 horse located next to her home if this Ordinance was passed. I am concerned about this since his house and horses are located on less than 1 acre of property.

### **Speaking Against the Proposed Amendments**

**Tony Dennis:** Mr. Dennis stated he felt the 5 acre requirement was excessive. He discussed his horse and the maintenance and care that he provided for his horse. He stated that he understood the concerns of people if there were too many horses on small lots. However, if you have enough property for one (1) animal and if it did not bother anyone the 5 acres seems to be an excessive requirement. He advised Council that he had owned his horse for approximately 15 years and that his horse did not bother anyone and was less trouble than dogs. He discussed problems concerning the leash law and confinement of dogs that existed in the City.

With no one else speaking, Mayor Andres called for Staff Recommendation. Mr. Stumb advised that based on conversation at Council's Pre-Agenda Meeting as well as conversation tonight, Council may want to discuss this more or have the Planning/Zoning Board look at this item again.

Mayor Andrews closed the Public Hearing.

At this time Council and Manager Bailie discussed the 2 zoning districts (R-40 and RA) in this area. Manager Bailie advised Council that the City's current zoning allowed livestock in all zoning districts.

After further discussion, *Council member Brown made a motion to table until May and let Planning Board look at this item again, seconded by Council member Talbert and approved unanimously by all Council members present.*

### **Unfinished Business**

#### **13. Cold Brook Ct. Street Paving**

- A. Street Paving Guidelines (Recommendation from Utilities Committee)**
- B. Resolution Directing That the Street Improvements on Cold Brook Ct. be Undertaken  
(Tabled From January Pre-Agenda Meeting)**

##### **A. Street Paving Guidelines (Recommendation from Utilities Committee)**

Manager Bailie reviewed with Council the status of this project and the Guidelines forwarded in their packet.

*After Manager Bailie's review, Council member Bridges made a motion to adopt the Guidelines as written, seconded by Council member Labonte and approved unanimously by all Council members present.*

##### **B. Resolution Directing That the Street Improvements on Cold Brook Ct. be Undertaken (Tabled From January Pre-Agenda Meeting)**

Manager Bailie advised Council that the next step would be the approval of a Resolution. This Resolution will need to specify the basis of assessment. Manager Bailie discussed the combination of properties by one (1) owner; however the original petition called for 7 properties which would not be changed if Council based assessment on the number of lots.

Manager Bailie discussed how the calculation specified in the guide lines was made. The number of people who signed the petition was 6 out of 11. One person who did not sign spoke in favor of the project at the Public Hearing; two people who did not sign the petition spoke in opposition which made the calculation 7 in favor, 4 opposed. Two people never responded which made the final calculation, for the purposes of compliance with the guidelines, 9 in favor, 2 opposed.

Council members discussed how they wanted to proceed and the type of assessment they wished to use. There was discussion on the assessment of a per lot assessment verses the assessment based on the area served.

*Council member Bridges made a motion to adopt the Resolution based on being able to obtain a quit claim deed from the developer and that it be improved by removing pavement adding stone base, regarding, and that the assessment be based on area of land served by the road and that the assessment be payable in cash or in 10 equal installments annually at an 8% interest rate. Council member Labonte seconded the motion. The motion and second were approved unanimously by all Council members present.*

### **New Business**

#### **14. Request from Guil-Rand Fire Department to connect new fire station to Hopewell Elementary School Sewer Line.**

Mayor Andrews opened this item and called on Brian Cox, Guil-Rand Fire Department.

Mr. Cox advised Council that he was asking on behalf of the Guil-Rand Fire Department for consideration of a request to connect the new fire station to the Hopewell Elementary School Sewer Line as a second option only. The first option is to do a pump and haul; however this requires us to obtain permits from Winston Salem. Only if the first option fails would we tie into sewer line

Manager Bailie advised Council that requests such as this had been approved subject to the condition that they be required to tie onto Trinity's sewer when it becomes available.

*Motion by Council member Brown to approve the request with the condition that Guil-Rand tie in to Trinity's sewer when it becomes available, seconded by Council member Lambeth and approved unanimously by all Council members present.*

#### **15. Special Intensity Allocation Request for Commercial Lot in Colonial Village**

Mayor Andrews opened this item and turned the conversation over to Mr. Stumb.

Mr. Stumb advised Council this request was for lot #100 in Colonial Village Subdivision. This is a commercial lot. The proposed use is a small fast food restaurant. The allocation goes above the 24% that is allowed. They have requested 55%. Staff's recommendation is to grant the developer up to 60% with a 2 year limit for construction and that any unused amount will be returned to the City balance to be used for other projects.

*Motion by Council member Talbert to approve the Special Intensity Allocation, seconded by Council member Bridges, and approved unanimously by all Council members present.*

#### **16. Street Lighting – Recommendation for Additional Street Lights**

Manager Bailie advised Council members that the Utilities Committee made the recommendation for additional street lights in the City of Trinity. Their recommendation in order of priority once the current projects are complete is as follows:

- **Interchanges of I-85 and Finch Farm; I-85 and Hopewell Church Road (Currently lighting on 1 side. They would like lighting on both sides if possible.)**
- **Entire length of Meadowbrook Drive**
- **Entire Length of Turnpike**

*Motion by Council member Meredith to accept the recommendation, seconded by Council member Ewings, and approved unanimously by all Council members present.*

#### **17. Appointment to Planning & Zoning Board (Ward 2)**

*Motion by Council member Brown to appoint David Albertson to the Planning Board (Ward 2), seconded by Council member Lambeth, and approved unanimously by all Council members present.*

#### **Business and Closing Comments from Mayor and Council**

None

#### **Business from City Manager**

##### **City Haul**

This project is tentatively scheduled for Thursday-Saturday (May 4-6) and Thursday- Saturday (May 11-13). We are trying to schedule the same location as last year for this project. We will update as information is available.

##### **Land Development**

Manager Bailie discussed the tentative schedule provided to Council for a field trip planned by the Land Development Plan Committee on April 05, 2006. You are all invited to go and we will be inviting the Planning/Zoning Board as well. This will be a full day and what looks to be a very interesting excursion. Manager Bailie reviewed the schedule of events advising Council the trip would begin at 9:00 and end at 5:30.

##### **Trinity at the Crossroads**

Trinity at the Crossroads is a project that the Council and I have just started. It is intended to stimulate thought and discussion on issues facing the City. We are using Ground rules for Effective Groups to maintain respect and manage conflict within the Board. Our plan is to devote about 10 minutes at each meeting to discuss specific topics.

Manager Bailie shared short land use planning slide show with Council and shared the following information with Council.

- **Next month Trinity City Council is expected to take action on 3 rezonings including a major subdivision**
- **In April, the Council is expected to consider yet another rezoning**
- **Two potential annexations are in the pipeline...**

***Growth is inevitable***

But what do we want it to look like?

***Will Trinity become***

Will Trinity become a desirable place to live, work and play?

**Trinity is at a crossroads** – the actions that the City Council takes in the months to come will determine the future of the city. They will determine what the city looks like. Making these decisions may not always be easy because they will affect people we know, our friends and neighbors. This is the nature of political action in small towns. The responsibility vested in this council for making decisions which will so visibly affect the City is awesome. The effects will be our legacy.

**Adjournment**

***With no other business to discuss, Council member Ewings made a motion to adjourn the March 21, 2006 meeting at 9:06 p.m., seconded by Council member Talbert, and approved unanimously by all Council members present.***

***These minutes were approved as written by the Trinity City Council at their Regular Meeting held on April 18, 2006 upon motion by Council member Reddick, seconded by Council member Bridges, and approved unanimously by all Council members present.***

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***Debbie Hinson, City Clerk***

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***Fran Andrews, Mayor***

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***Date***

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***Date***